

U.S. Department of Transportation
Federal Aviation Administration
Southwest Region

Finding of No Significant Impact (FONSI)

Construction of the U.S. Border Patrol Laredo Air Branch Facility Project
Laredo International Airport
Laredo, Texas

August 2021

1. INTRODUCTION

The United States (U.S.) Customs and Border Protection (CBP), in cooperation with the Federal Aviation Administration (FAA), prepared an Environmental Assessment (EA) that addresses the potential effects, beneficial and adverse, resulting from the proposed construction of a new Air Branch facility at the Laredo International Airport in Laredo, Texas. As prescribed by 40 CFR 1506.3, and based on the best available information and FAA's independent review, FAA has decided to adopt the CBP's August 2021 EA.

The FAA is the federal agency responsible for the approval of portions of the Proposed Action analyzed in the EA, attached hereto. The FAA must comply with the National Environmental Policy Act of 1969 (NEPA), other applicable statutes, and the NEPA implementing regulations (40 Code of Regulations (CFR) Parts 1500-1508) before taking any actions that are necessary prior to implementation of the project. After completing an EA, federal agencies must decide whether to issue a Finding of No Significant Impact (FONSI) and approve the proposed project or prepare an Environmental Impact Statement (EIS) prior to rendering a final decision on approval of a proposed project. The CBP has completed the EA, considered its analysis, and determined that no further environmental review is required. The FAA has determined that the Proposed Action will have no significant impact to the human environment. Therefore, the FAA is issuing this FONSI accompanied and supported by the CBP EA, completing environmental review requirements for the project.

2. BACKGROUND

The Laredo Air Branch facility is strategically located at the Laredo International Airport to meet CBP Air and Marine Operations' (AMO) mission of "safeguarding our nation by anticipating and confronting security threats through our aviation and maritime law enforcement expertise, innovative capabilities, and partnerships at the border and beyond." The Laredo Air Branch would relocate the functions of the existing 14,000 square foot (sq ft) Air Branch facility (hangar and office workspace) which is undersized and does not support current assigned personnel or air assets to the proposed Air Branch facility. The overcrowded conditions do not provide the safest and most secure working environment for personnel. The

Laredo Air Branch, a component of CBP's AMO is unable to expand operations or support surge capacity to meet mission requirements at the current facility. Additionally, the current facility does not meet CBP facility standards. The new Laredo Air Branch facility and associated supporting infrastructure are designed to alleviate overcrowded conditions and to allow room for current and planned future growth.

3. CUSTOMS AND BORDER PROTECTION PROPOSED ACTION

The new Laredo Air Branch facility in Laredo, Texas would alleviate overcrowded conditions and allow room for current and planned future growth in personnel and additional hangar space would accommodate future operations. The new facility would include an administrative operational space, hangar space, aircraft and vehicle parking, and additional site improvements. The new facilities are being designed to meet CBP facility standards. Figure 2-2 presents a conceptual plan for the facility layout. Figure 2-3 presents the location of the proposed Air Branch facility in relation to the current facility.

The proposed Laredo Air Branch facility would include the following components:

- 14,300 sq ft administrative operations building
- 31,500 sq ft maintenance hangar facility
- 17,000 sq ft storage hangar facility
- 70,000 sq ft aircraft parking apron and ramp
- One (1) exterior aircraft wash/rinse rack
- Hazardous material storage area
- Storage canopy
- Enhanced lighting
- Parking area to accommodate 10 government-owned vehicles, 75 agent vehicles, five (5) visitor vehicles, one (1) oversized vehicle, one (1) fuel truck, and three (3) fuel trailers
- Signage
- Security fencing
- Sidewalks and curbs
- Additional site improvement
- Two stormwater detention ponds

The two stormwater detention ponds would be designed in compliance with FAA Advisory Circular (AC) 150/5200-33C, Hazardous Wildlife Attractants on or near Airports. This includes a maximum 48-hour detention period for the designed storm.

4. REQUESTED FAA FEDERAL ACTION

The FAA Federal actions necessary for implementation of the Proposed Action are:

The following determination is prescribed by the statutory provision set forth in Section 163 of the FAA Reauthorization Act of 2018 House Resolution (H.R.) 302, (Public Law [P.L. 115-254]).

Unconditional approval of the Laredo International Airport Layout Plan (ALP) to depict portions of the Proposed Action as previously described in Section 2.1.1 of the EA pursuant to 49 USC §§ 40103(b) and 47107(a)(16). Because portions of the proposed development may have a material impact on aircraft operations, at, to, or from the airport, the FAA retains the legal authority to approve or disapprove the following changes to the LRD ALP:

- 31,500 sq ft maintenance hangar facility
- 17,000 sq ft storage hangar facility
- 70,000 sq ft aircraft parking apron and ramp
- Exterior aircraft wash/rinse rack

Because the remaining portions of the proposed development would have no material impact on aircraft operations at, to, or from the airport, would not affect the safety of people and property on the ground, and would not have an adverse effect on the value of prior Federal investments to a significant extent, the FAA lacks the legal authority to approve or disapprove changes to the LRD ALP for the following project components:

- 14,300 ft administrative operations building
- Hazardous material storage area
- storage canopy
- Enhanced lighting
- Parking area
- Security fencing
- Stormwater detention ponds

The property for the Proposed Project was acquired from the U.S. Government via a Surplus Property Act transfer on February 21, 1975. Under section 163(b) of the Act, the FAA has the legal authority to regulate land acquired through a surplus property act transfer. However, the proposed project is considered an aeronautical use, consistent with the intended land use when acquired; therefore, the FAA will not require a release of obligations of the subject parcel as depicted on the currently approved ALP.

5. PURPOSE AND NEED

Pursuant to the NEPA implementing regulations and FAA Orders 1050.1F and 5050.4B, an EA must include a description of the purpose of a proposed action and the reasons it is needed. Section 1 of the EA addresses the Proposed Action's purpose and need.

CBP proposes to construct, operate, and maintain a new Laredo Air Branch facility in the U.S. Border Patrol (USBP) Laredo Sector in support of AMO's mission to safeguard the nation by anticipating and confronting security threats through aviation and maritime law enforcement expertise, innovative capabilities, and partnerships at the border and beyond. CBP AMO provides air support to USBP Laredo Sector ground units and other law enforcement agencies to interdict foreign national smuggling operations and to detect and report other illegal air or ground activities. The purpose of the Proposed Action is to alleviate overcrowded conditions that exist at the current leased facility, provide sufficient

space to house existing personnel and air assets, and allow adequate space for enforcement flexibilities.

The current Laredo Air Branch facility consists of a 14,000 ft² hangar and office workspace. The current facility's size is insufficient to support currently assigned staff and air assets. Approximately 50 CBP and contract personnel occupy the space, which leads to overcrowded conditions, compromising the safety and health of the staff. Further, the current facility configuration does not meet AMO facility standards.

The Laredo Air Branch would relocate operations from the existing deficient facility located at the Laredo International Airport to the new Air Branch facility upon completion. The new facilities would be able to accommodate the existing personnel and air assets, as well as allow for growth in staffing due to future operational demands placed upon the facility.

6. ALTERNATIVES

FAA Orders 1050.1F and 5050.4B set forth policies and procedures to be followed when assessing the environmental impacts of aviation-related projects, in compliance with NEPA. The FAA orders require a thorough objective assessment of the Proposed Action, No Action alternative, and all "reasonable" alternatives that would achieve the stated purpose and need of the Proposed Action. The Alternatives analysis presented in this section of the EA is consistent with the requirements of FAA Orders 1050.1F and 5050.4B.

CBP analyzed two action alternatives in the EA: the Proposed Action (Alternative 1) and the No Action Alternative (Alternative 2). During the early planning stages for the Proposed Action, CBP reviewed additional site locations within the Laredo International Airport. However, due to site constraints (i.e., location availability, presence of wetlands, site configuration, proximity of taxiways, etc.), CBP determined that the other sites would not meet CBP's mission requirements.

The Proposed Action would construct a new Laredo Air Branch facility on an approximately 13-acre parcel of land in the western portion of the Laredo International Airport in Laredo, Texas. Based upon potential site designs, it has been determined that a 13-acre project site is sufficient to construct the main administrative building and associated infrastructure including, but not limited to, a maintenance hangar, storage hangar, and aircraft parking apron and ramp.

Alternative 2 is the No Action Alternative, which would preclude the construction, operation, and maintenance of a new Laredo Air Branch facility. The existing facility would continue to be inadequate for the support of operations within the Laredo Sector AOR, and would have to accommodate the Laredo Air Branch operations, but would not be able to do so while operating in an effective manner. Consequently, this alternative would hinder AMO's ability to respond to high levels of illegal border-related activity. The No Action Alternative does not meet the purpose and need for the proposed project, but was carried forward for analysis, as required by the Council on Environmental Quality (CEQ) regulations. The No Action Alternative describes the existing conditions in the absence of the Proposed Action.

7. ENVIRONMENTAL CONSEQUENCES

The environmental impacts, if any, of the proposed alternatives were examined in the attached EA according to the FAA Orders 5050.4B and 1050.1F. The environmental impacts of the No Action and the Proposed Action alternatives are summarized in this section.

The analysis included in Section 3.0 and Table 3-9 of the attached EA demonstrates that no resource categories will be impacted by implementation of the Proposed Action. These resource categories include: Air Quality; Biological Resources, including Fish, Wildlife, and Plants; Coastal Resources; Department of Transportation Section 4(f); Farmlands, Water Resources, including, Wetlands, Surface Waters, and Groundwater; Land Use; Natural Resources and Energy Supply; Noise and Noise Compatible Land Use; Socioeconomic Impacts, including Environmental Justice and Children's Environmental Health and Safety Risks; Visual Effects; and Wild and Scenic Rivers. In addition, other resource categories will not be discussed in detail in this FONSI because, as documented in Section 5 of the EA, there is not the potential for significant impact (see FAA Order 1050.1F, Paragraph 4-3.3 and Exhibit 4-1 for information on significance thresholds and factors to consider in evaluating significance for an environmental impact category). These categories include: Climate; Hazardous Materials, Solid Waste, and Pollution Prevention; and Historical, Architectural, Archaeological, and Cultural Resources.

8. AGENCY COORDINATION

In accordance with 40 CFR §1501.9, 1503, 1506.6, and 1508.1 (k), CBP initiated public involvement and agency scoping activities to identify significant issues related to the Proposed Action. Formal and informal coordination has been conducted with the following agencies and included in Appendix A of the EA:

Federal Agencies:

- United States Fish and Wildlife Service (USFWS)
- United States Environmental Protection Agency (USEPA)
- United States Army Corps of Engineers (USACE)
- Natural Resources Conservation Service (NRCS)

State Agencies:

- Texas Parks and Wildlife Department (TPWD)
- Texas Historical Commission (THC)
- Texas Department of Transportation (TxDOT)
- Texas Commission on Environmental Quality (TCEQ)

Federally Recognized Tribes:

- The Comanche Nation
- Mescalero Apache Tribe of the Mescalero Reservation
- Tonkawa Tribe of Indians of Oklahoma
- Apache Tribe of Oklahoma

- Wichita and Affiliated Tribes

Local:

- Webb County
- City of Laredo
- Laredo International Airport

9. CONDITIONS AND MITIGATION

As prescribed by 40 CFR § 1505.3, the CBP shall take steps as appropriate to the action, such as through special conditions in grant agreements, property conveyance deeds, releases, airport layout plan approvals, and contract plans and specifications, and shall monitor these as necessary to assure that representations made in the EA and FONSI will be carried out.

Best Management Practices (BMPs) were identified for each resource category that could be potentially affected. Many of these measures have been incorporated as standard operating procedures by CBP in similar past projects. The BMPs to be implemented can be found in Section 4.0 of the EA.

10. FINDINGS

Throughout the development of the airport, including the proposed improvements described above, the FAA has made every effort to adhere to the policies and purposes of NEPA, as stated in the NEPA implementing regulations. The EA has concentrated on the truly significant issues related to the action in question. The FAA determined that the Proposed Action is in compliance with FAA Order 1050.1F 6-3.b(2), and is consistent with community planning as documented in LRD's Master Plan. In its determination on whether to prepare an Environmental Impact Statement (EIS) or process the EA as a FONSI, the FAA weighed its decision based on an examination of the EA, comments from Federal and state agencies, as well as all other information available to the FAA.

As required by 40 CFR 1506.5, the FAA has independently and objectively evaluated this proposed project. As described in the Final EA, the Proposed Action and the No Action Alternative were studied extensively to determine the potential impacts and appropriate mitigation for those impacts. The FAA provided input, advice, and expertise throughout the analysis. The FAA determined that the August 2021 EA, prepared by the CBP, adequately assessed the potential individual environmental impacts of the proposed project, and that the scope and alternatives considered, and content of the EA are adequate. As prescribed by 40 CFR 1506.3, and based on the best available information and FAA's independent review, FAA has decided to adopt the CBP's August 2021 EA.

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives of Section 101 of NEPA and other applicable environmental requirements and, with the required mitigation referenced above, and will not significantly affect the quality of the human environment or otherwise include any condition requiring any consultation pursuant to section 102(2)(C) of NEPA. As a result, FAA has determined

that preparation of an EIS is not necessary for this proposed action and is therefore issuing this FONSI.

RECOMMENDED
FOR APPROVAL: _____ Date: _____

John MacFarlane
Environmental Protection Specialist
Texas Airports District Office

APPROVED: _____ Date: _____

Jesse Carriger
Manager, Texas Airports District Office